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January 5, 2018

**VIA ECF**

Honorable Brian R. Martinotti  
United States District Judge  
Clarkson S. Fisher Building  
& U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

**Re: *Breitenbach v. Insys Therapeutics, Inc.*  
Civil Action No. 18-00164 (BRM) (DEA)**

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Dear Judge Martinotti:

This firm represents Defendant Insys Therapeutics, Inc. in the above-captioned matter, which was today removed from the Superior Court of New Jersey, Chancery Division, Monmouth County, Docket No. MON-C-610-17. ECF No. 1, and was assigned to Your Honor. We write to note, for the Court's benefit that, as Your Honor will see from the attachments to the Notice of Removal, there is currently a pending Order To Show Cause signed by the Superior Court of New Jersey. ECF No. 1-3. Given the removal of the matter, we write to seek guidance with regard to whether this Court would prefer to set a briefing schedule; meanwhile, we will consult with counsel for the Plaintiff in an effort to come to an agreement on one, but did not want to presume to set one without Your Honor's permission. Of course, if the Court would prefer to convene a brief telephone conference on this matter to discuss a proposed schedule, we will make ourselves available at the Your Honor's convenience.

If the Court has any questions or concerns with regard to the above, please do not hesitate to contact me. Thank you for your kind consideration of this matter.

Respectfully submitted,

s/ Lawrence S. Lustberg  
Lawrence S. Lustberg

cc: All Counsel (*via ECF*)